

ESTTA Tracking number: **ESTTA606600**

Filing date: **05/28/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Carolina Moon Distillery, LLC		
Entity	Corporation	Citizenship	South Carolina
Address	PO Box 268 Edgefield, SC 29824 UNITED STATES		

Attorney information	Pao Lin Hatch 22988 Fairgale Farm Lane Chestertown, MD 21620 UNITED STATES paoball2000@yahoo.com Phone:2402746180
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Applicant Information

Application No	86011077	Publication date	05/20/2014
Opposition Filing Date	05/28/2014	Opposition Period Ends	06/19/2014
Applicant	TERRESSENTIA CORPORATION 9770 PATRIOT BLVD, SUITE 300 LADSON, SC 29456 UNITED STATES		

Goods/Services Affected by Opposition

Class 033. First Use: 0 First Use In Commerce: 0

Opposed goods and services in the class: Alcoholic beverages containing fruit; Alcoholic beverages except beers; Alcoholic beverages, namely, flavor-infused whiskey; Alcoholic beverages, namely, WHISKEY, BOURBON, RUM, GIN, GRAIN NEUTRAL SPIRITS, VODKA, TEQUILA; Blended spirits; Distilled Spirits; Distilled spirits of CORN, BARLEY, RYE

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	Carolina Moon Distillery, LLC Alcoholic Manufacturer and Distributed licensed and operating since Oct 11, 2011 in South Carolina.		
Goods/Services	Whiskey, Corn Liquor, Rum, Fruit and Alcoholic beverages		

Attachments	Prior use claim to the trademark-Opposition to mark filing.pdf(59807 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Pao Lin Hatch/
Name	Pao Lin Hatch
Date	05/28/2014

Prior use claim to the trademark “ CAROLINA MOON” whiskey

Carolina Moon Distillery, LLC hereby makes claim to the Trademark use of the term Carolina Moon with respect to alcoholic beverages and spirits.

Specifically:

1. Common Law use- As of Oct 17, 2011, Carolina Moon, LLC has been in existence under S.C. State law.
2. As of August 8, 2013, Carolina Moon Distillery has been licensed with the State and Federal ATT and TBB
3. As of August 2013, Carolina Moon Distillery has been physically leasing space at 116 Court House Square, Edgefield, SC 29824
4. As of December 2013, Carolina Moon Distillery has been open for business to the general public, selling alcoholic beverages and other logo products (clothing, souvenirs, glassware) with its copyrighted image filed under Copyright petition filed on 11/14/2013.
5. As of December 2013, Carolina Moon Distillery has been paying US Federal Sales tax, South Carolina Sales Tax, Edgefield County Sales Tax and generally been recognized as a legally identified entity, operation and doing business in Edgefield, South Carolina 29824.
5. As of May 28, 2014, Carolina Moon Distillery has filed a 2nd copyrighted logo application with the USPTO office.

Respectfully Submitted:

/Pao Lin Hatch/

Pao Lin Hatch, Member of the Maryland and Florida

Attorney of Record

22988 Fairgale Farm Lane

Chestertown, MD 21620

240 274 6180

Copies attached